

Debbie P. Kirkpatrick, Esq. (SBN 207112)  
Albert R. Limberg, Esq. (SBN 211110)  
SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.  
1545 Hotel Circle South, Suite 150  
San Diego, CA 92108-3426  
Tel: 619/758-1891  
Fax: 619/296-2013  
[dkirkpatrick@sessions-law.biz](mailto:dkirkpatrick@sessions-law.biz)  
[alimberg@sessions-law.biz](mailto:alimberg@sessions-law.biz)

## Attorneys for Defendants

Jeffrey R. Krinsk, Esq. (SBN 109234)  
jrk@classactionlaw.com  
Mark L. Knutson, Esq. (SBN 131770)  
mlk@classactionlaw.com  
William Restis, Esq. (SBN 246823)  
wrr@classactionlaw.com  
FINKELSTEIN & KRINSK, LLP  
501 West Broadway, Suite 1250  
San Diego, CA 92101  
Tel: 619-238-1333  
Fax: 619-238-5425

## Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CONRAD BRAUN and GARY SANKARY, individually and on behalf of all others similarly situated , } Case No.: 12-CV-0085 JLS MDD  
Plaintiffs, }  
vs. } NOTICE OF SETTLEMENT AND JOINT REQUEST TO VACATE PENDING DOCKET EVENTS  
SAVEOLOGY.COM, LLC, a Florida Limited Liability Company; and ELEPHANT GROUP, INC. a Delaware Corporation, }  
Defendants. }

Plaintiffs Conrad Braun and Gary Sankary and defendants Saveology.com, LLC and Elephant Group, Inc. hereby jointly give notice that the above-captioned matter is

settled on an individual basis as to the named plaintiffs. This notice of settlement is made with respect to the following:

1. An earlier filed, related proceeding entitled *Desai v. ADT Security Services, Inc.*, No. 1:11-cv-01925 encompasses the class claims asserted by plaintiffs in this action, and is currently pending in the United States District Court for the Northern District of Illinois (“*Desai*”).

2. The parties to the *Desai* action are in the final stages of negotiating a class action settlement that provides compensation to class members for the claims asserted in this action.

3. Plaintiffs have investigated the status of claims and proceedings in *Desai*, as well as the status of settlement negotiations in *Desai*, and believe that the claims of class members in this action have been and will be adequately represented in *Desai*.

4. The settlement of this action is conditioned on performance of certain settlement terms by defendants to be completed on or about January 13, 2013.

5. The parties intend to submit a joint motion for dismissal once the settlement terms are fully performed. The parties will request dismissal of the claims of Conrad Braun and Gary Sankary with prejudice and dismissal of the claims of the putative class without prejudice.

111

111

111

1 Based on the foregoing, the parties request pending docket events and deadlines be  
2 vacated to allow the parties to finalize the settlement and file a joint motion for dismissal  
3 in January 2013.  
4

5 **SIGNATURE CERTIFICATION**

6 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies  
7 and Procedures Manual, I hereby certify that the content of this document is acceptable to  
8 William R. Restis, counsel for plaintiffs Conrad Braun and Gary Sankary, and that I have  
9 obtained Mr. Restis's approval of his electronic signature to this document.  
10  
11

12 Dated: 10/30/12 FINKELSTEIN & KRINSK, LLP  
13

14 */s/William Restis* \_\_\_\_\_  
15 William Restis  
16 Attorney for Plaintiffs  
17

18 Dated: 10/30/12 SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.  
19 */s/Debbie P. Kirkpatrick*  
20 Debbie P. Kirkpatrick  
21 Attorney for Defendants  
22  
23  
24  
25  
26  
27  
28